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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,186	07/02/2003	Andreas Loew	PD020064	5293

24498 7590 08/18/2006

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PATENT OPERATIONS
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EXAMINER	
JEANGLAUDE, JEAN BRUNER	
ART UNIT	PAPER NUMBER
2819	

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/612,186	LOEW, ANDREAS	
	Examiner	Art Unit	
	Jean B. Jeanglaude	2819	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *7-2-03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Abstract

1. Applicant is reminded of the proper language and format for an abstract of the disclosure. **The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words.** It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details. The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 11, 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. It is unclear in claims 11 and 12 what is being processed.

Claim Rejections - 35 USC § 103

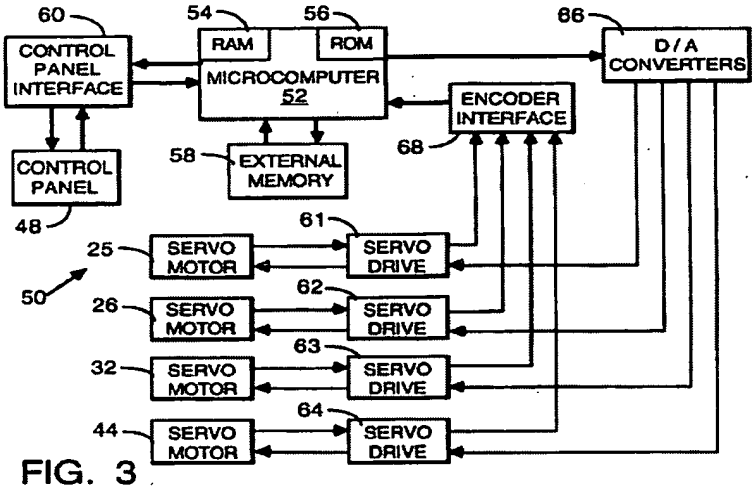
5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1 – 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (US Patent Number 5,659,480) in view of Tamura (US Patent Number 5,999,215).

7. Regarding claims 1, 2, Anderson et al. discloses an operating element (fig. 3) having an actuation element and a pickup (25, 26, 32, 44, 61-64) [these elements are sending element], which generates position signals (range of the position signals) corresponding to the position of the actuation element (col. 4, lines 32 – 35), which signals can be translated into numerical values by means of a converter and are available as numerical values at an output (col. 4, lines 35 – 43), wherein the numerical values can be translated into numerical values in accordance with a selectable assignment characteristic curve in a converter (col. 4, lines 35 – 43). Anderson et al. does not specifically disclose an operating element wherein the operating element can be fed a control quantity, which effects the selection of a specific assignment characteristic curve. However, Tamura, in a related field discloses an image pickup apparatus (fig. 2) that comprises a control quantity (2) that is fed in the operating element (fig.2)[abstract; col. 4, lines 54 – 63). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Anderson et

al.'s system with that of Tamura in order to provide an image pickup apparatus which is arranged to make no erroneous decision in controlling white balance, focus, etc., and thus to permit optimization of related control systems and improvement in their performance.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54
RAM
56
ROM
MICROCOMPUTER 52
66
D/A CONVERTERS
ENCODER INTERFACE
68
58
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CONTROL PANEL
48
61
25
SERVO MOTOR
SERVO DRIVE
50
62
26
SERVO MOTOR
SERVO DRIVE
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32
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64
44
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FIG. 3

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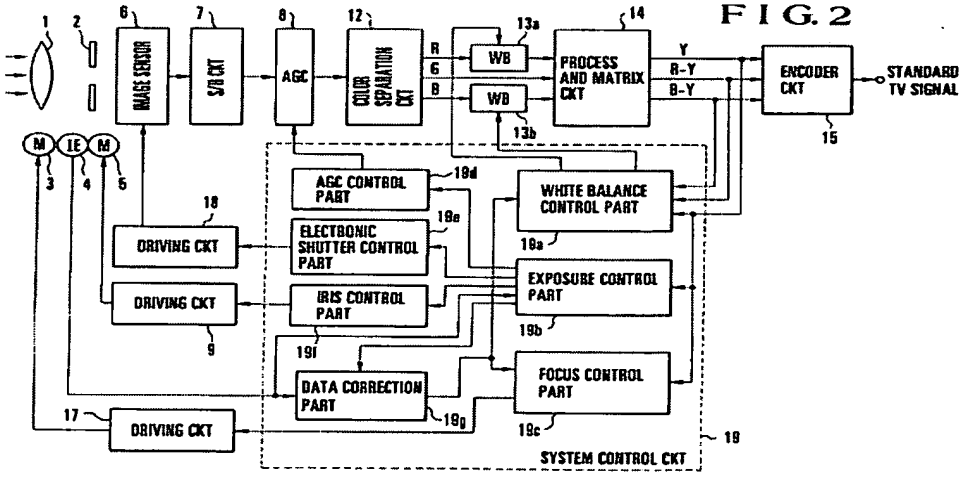
1
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IMAGE SENSOR
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S/H CKT
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AGC
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COLOR SEPARATION CKT
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PROCESS AND MATRIX CKT
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DRIVING CKT
AGC CONTROL PART
19d
ELECTRONIC SHUTTER CONTROL PART
19e
IRIS CONTROL PART
19f
DATA CORRECTION PART
19g
WHITE BALANCE CONTROL PART
19a
EXPOSURE CONTROL PART
19b
FOCUS CONTROL PART
19c
19
SYSTEM CONTROL CKT

FIG. 2

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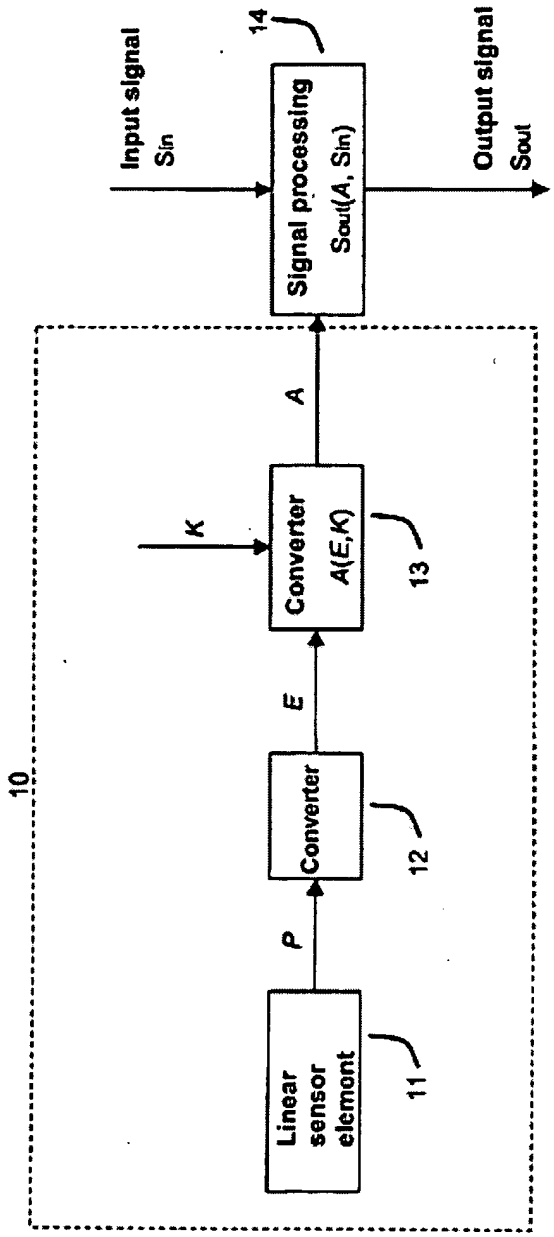

Fig. 1

8. Regarding claims 7, 12, the combination of Anderson et al. and Tamura would achieve the same end result as selecting of an assignment characteristic curve by means of the control quantity corresponds to a selection of the sensitivity of the

actuation element since Anderson provides the sensing means for the actuation element and Tamura provides the control quantity and setting of the pitch [the distance between two points]. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Anderson et al.'s system with that of Tamura in order to provide an image pickup apparatus which is arranged to make no erroneous decision in controlling white balance, focus, etc., and thus to permit optimization of related control systems and improvement in their performance.

9. Regarding claims 8 - 10, Tamura discloses a arrangement for processing video and/or audio signals having an operating element (abstract)[title] and a processing of the signals comprises the correction of color signals (19g, fig. 2, abstract; col. 4, lines 32 - 38); a the processing of the signals comprises the setting of picture brightness and/or picture contrast (col. 5, lines 61 – 67; fig. 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Anderson et al.'s system with that of Tamura in order to provide an image pickup apparatus which is arranged to make no erroneous decision in controlling white balance, focus, etc., and thus to permit optimization of related control systems and improvement in their performance.

10. Regarding claims 5 and 6 Anderson discloses all the limitations as discussed above except the wherein the conversion of the position signals into numerical values available at the output correspond to a fine resolution in the range around the central position of the actuation element and to a coarse resolution in the region of the smallest and largest position signals, respectively (claim 5) and

an operating element wherein the conversion of the position signals into numerical values available at the output correspond to a coarse resolution in the range around the central position of the actuation element and to a fine resolution in the region of the smallest and largest position signals, respectively (claim 6). However, Tamura, discloses an image pickup apparatus that includes an image sensor that converts an image light coming from an object and an iris to adjust the quantity of the image light (abstract; col. 4, lines 64 - 67); in adjusting the image light Tamura's system provides coarse resolution and fine resolution, thereby Tamura discloses a system that wherein the conversion of the position signals into numerical values available at the output correspond to a fine resolution in the range around the central position of the actuation element and to a coarse resolution in the region of the smallest and largest position signals, respectively and an operating element wherein the conversion of the position signals into numerical values available at the output correspond to a coarse resolution in the range around the central position of the actuation element and to a fine resolution in the region of the smallest and largest position signals, respectively. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Anderson et al.'s system with that of Tamura in order to provide an image pickup apparatus which is arranged to make no erroneous decision in controlling white balance, focus, etc., and thus to permit optimization of related control systems and improvement in their performance.

11. Regarding claims 3 and 4, Anderson et al. discloses an operating element (fig. 3) wherein the gradient of the assignment characteristic curve can be set in the range

around the central position of the actuation element (col. 4, lines 51 – 60) and the operating element wherein the assignment characteristic curve is centrosymmetrical with respect to the central position of the actuation element (col. 4, lines 51 – 60)[as noted in col. 4, lines 55 – 60, a complex shapes are generated – shapes that are nonlinear with respect to the independent input variable. In providing nonlinear output Anderson is considered to produce an assignment characteristic curve. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Anderson et al.'s system with that of Tamura in order to provide an image pickup apparatus which is arranged to make no erroneous decision in controlling white balance, focus, etc., and thus to permit optimization of related control systems and improvement in their performance.

12. Regarding claim 11, Anderson et al. does not explicitly specifically disclose an operating element wherein the processing comprises the selection of the position in an editing control unit. However, Tamura, in a related field, as disclosed is an image pickup apparatus in which image is sensing; one ordinary skill in the art would recognize that the image pickup apparatus would perform editing as well since one would enter information in the video related to the image. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Anderson et al.'s system with that of Tamura in order to provide an image pickup apparatus which is arranged to make no erroneous decision in controlling white balance, focus, etc., and thus to permit optimization of related control systems and improvement in their performance.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (See PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean B. Jeanglaude whose telephone number is 571-272-1804. The examiner can normally be reached on Monday - Friday 7:30 A. M. - 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rexford Barnie can be reached on 571-272-7492. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jean Bruner Jeanglaude

Jean Bruner Jeanglaude
Primary Examiner
August 8, 2006